

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION ) DOCKET NO.  
On Its Own Motion ) 08-0651

-VS-

BIO-ENERGY PARTNERS; WM  
PARTNERSHIP HOLDINGS, INC.;  
CATERPILLAR FINANCIAL SERVICES  
CORPORATION; WM ILLINOIS RENEWABLE  
ENERGY, L.L.C.

Determination of the manner in which any or all Respondents shall reimburse the State treasury for tax credits relating to the qualified solid waste energy facility located at the Greene Valley Landfill, in Naperville, Illinois, as defined in Section 8-403.1 of the Illinois Public Utilities Act.

Springfield, Illinois  
Monday, April 20, 2009

Met, pursuant to notice, at 9:00 a.m.

BEFORE :

MR. JOHN ALBERS, Administrative Law Judge

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
CSR #084-002710



1		<u>I N D E X</u>			
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3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	None .				
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14		<u>EXHIBITS</u>			
15				<u>MARKED</u>	<u>ADMITTED</u>
16	None .				
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PROCEEDINGS

JUDGE ALBERS: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 08-0651. This docket was initiated by the Commission on its own motion against Bio-Energy Partners, WM Partnership Holdings, Inc., Caterpillar Financial Services Corporation, and WM Illinois Renewable Energy, L.L.C. It regards a determination of the manner in which any and all Respondents shall reimburse the State treasury for tax credits related to the qualified solid waste energy facility located in Green Valley Landfill in Naperville.

May I have the appearances for the record, please?

MR. FEELEY: Representing Staff of the Illinois Commerce Commission, John Feeley, Office of General Counsel, 160 North LaSalle Street, Suite C-800, Chicago, Illinois 60601.

MS. GREENBERG: On behalf of Respondents Bio-Energy Partners, WM Partnership Holdings, Inc., Caterpillar Financial Services Corporation and WM Illinois Renewable Energy, L.L.C., Freddi L.

1 Greenberg, 1603 Orrington Avenue, Evanston, Illinois  
2 60201.

3 JUDGE ALBERS: Thank you. Let the record  
4 reflect that there are no others wishing to enter an  
5 appearance.

6 When we last met in this docket, the  
7 parties had requested an extension or just a  
8 continuation, rather, so they could exchange some  
9 documents in the meantime. I hope that that's been  
10 completed by now and we can possibly set a schedule  
11 in this matter, but I will let you folks advise me on  
12 that.

13 MR. FEELEY: Sure. I guess it is completed in  
14 part. I just received one of the documents from  
15 Ms. Greenberg today, and there is still one to come.

16 Correct, Freddi?

17 MS. GREENBERG: That's exactly correct. The  
18 documents that we are providing him had to be  
19 retrieved out of stored documents, so it is taking a  
20 little longer.

21 MR. FEELEY: So I will need time to look over  
22 what I just received and discuss it with Staff, and

1     then time to look at the other one when it comes in.  
2     I know you are going to be on a leave. So could we  
3     set this over for another status when you expect to  
4     be back?

5             MS. GREENBERG: And can I just make one  
6     comment? And that is that the Respondent is, has  
7     been and continues and will continue to make the  
8     repayments as shown in the schedule that was provided  
9     by Commission Staff some months ago. So that any  
10    delay is not going to delay any repayment. That  
11    would be done as a courtesy.

12            JUDGE ALBERS: Okay, thank you.

13            MS. GREENBERG: You are welcome.

14            JUDGE ALBERS: Well, that's fine. We can go  
15    ahead and continue this. I mean, if you are not  
16    comfortable setting a schedule without having  
17    received all the documents, we can go ahead and just  
18    continue this to another status hearing, perhaps in  
19    early June.

20                        Is that basically what you both would  
21    like?

22            MS. GREENBERG: That would be fine with us.

1           MR. FEELEY:   Yes.

2           JUDGE ALBERS:   Perhaps the morning of June 9?

3           MS. GREENBERG:   I have something at 7:00 a.m.

4   that morning, so it would depend what time.   I should

5   be done by 9:30.

6           JUDGE ALBERS:   9:30 is fine with me if

7   that's --

8           MR. FEELEY:   That's fine with me.   Steve and

9   Larry, is that okay with you?

10          MR. KNEPLER:   That works.

11          MR. WILCOX:   Yeah.

12          JUDGE ALBERS:   Would you prefer 10:00 just for

13   a little bit of cushion there?

14          MS. GREENBERG:   That would be appreciated.

15          JUDGE ALBERS:   That's okay with everyone?

16          MR. FEELEY:   That's fine with me.

17          JUDGE ALBERS:   Meet again for a status on June

18   9 at 10:00 a.m.

19                        Okay.   Anything else for this morning

20   then?

21          MR. FEELEY:   Nothing for Staff.

22          MS. GREENBERG:   Nothing for us.

1           JUDGE ALBERS:   Okay.   Thank you everyone.   We  
2   will continue this until June 9 at 10:00 o'clock.  
3                               (Whereupon the hearing in this  
4                               matter was continued until June  
5                               9, 2009, at 10:00 a.m. in  
6                               Springfield, Illinois.)  
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